

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO. 3237 OF 2003
IN
INCOME TAX APPEAL (LDG.) NO. 1048 OF 2003

The Commissioner of Income-tax,
City-VIII, Mumbai. ... Appellant.

V/s.

M/s.Delhi Bottling Co.Pvt.Ltd. ... Respondent.

Mr S. M. Shah for the appellant.

Mr A. K. Jasani for the respondent.

CORAM : DR.S.RADHAKRISHNAN
and V.C.DAGA, JJ.

DATED : 23rd April 2007.

P.C. :

1. Heard the learned counsel for the parties.
2. Perused affidavit as well as the additional affidavit in support of the Notice of Motion seeking condonation of 162 days delay. Sufficient cause is made out for condoning delay in filing the above appeal. There is no case of inaction, negligence or want of bona fide on the part of the appellant. Hence, the notice of motion is made absolute in terms of prayer clause (a)

(V.C.DAGA, J.)

(DR.S.RADHAKRISHNAN, J.)